

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

JERMAINE HICKMAN,

Plaintiff,

v.

Case No. 3:22cv696

KROGER LLC T/A KROGER #514,

Defendant.

**NOTICE OF REMOVAL**

COMES NOW the defendant, Kroger LLC t/a Kroger #514 (“Kroger”), by counsel, pursuant to 28 U.S.C. sections 1441 and 1446, and file this Notice of Removal to remove this action from the Circuit Court for the City of Richmond to the United States District Court for the Eastern District of Virginia, Richmond Division. In support thereof, Defendant states as follows:

1. Plaintiff filed suit against the defendant in the Circuit Court for the City of Richmond, Virginia on September 8, 2022, seeking \$500,000.00 in compensatory damages. A copy of the Complaint and Answer are attached hereto pursuant to 28 U.S.C. § 1446. (Exhibits A and B, respectively.)

2. Pursuant to 28 U.S.C. § 1446(c)(1), this Notice of Removal is being filed less than one year after commencement of this action.

3. Pursuant to 28 U.S.C. § 1446(b)(1), this Notice of Removal is being filed within thirty days after Defendant’s receipt of the Complaint. Process was served on the Defendant’s agent on September 29, 2022.

4. This Court has removal jurisdiction over this matter as there is complete diversity of citizenship between the Plaintiff, a resident of Virginia, and Kroger LLC, an Ohio entity, as is

further specified in the contemporaneously filed disclosures to assure the Court of diversity. Further, the amount in controversy exceeds \$75,000.00, exclusive of interest and costs.

5. Contemporaneous with the filing of this Notice, the Defendant has given notice of the filing of this Notice of Removal to counsel for the plaintiff and have mailed a copy to the Clerk of the Circuit Court for the City of Richmond.

6. Venue is proper pursuant to 28 U.S.C. § 1391(b)(2).

7. Plaintiff demanded a trial by jury in her Complaint filed with the Circuit Court for the City of Richmond.

WHEREFORE, Defendant Kroger LLC t/a Kroger #514 requests that this Court remove this action from the Circuit Court for the City of Richmond to the United States District Court for the Eastern District of Virginia, Richmond Division.

**KROGER LLC T/A KROGER #514**

By Counsel

/s/  
Stanley P. Wellman (VSB No. 27618)  
Jon A. Nichols (VSB No. 48613)  
Angela R. MacFarlane (VSB No. 87776)  
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**CERTIFICATE**

I hereby certify that on the 27th day of October, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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/s/  
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